

UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

ERIK LYBARGER,

Plaintiff

v.

LAUREL HARRY,  
Superintendent, et al.,

Defendants

:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:

CIVIL ACTION NO. 3:CV-14-0102

(Judge Nealon)

FILED  
SCRANTON

JAN 23 2014

PER

DEPUTY CLERK

**ORDER**

**AND NOW, THIS 23<sup>rd</sup> DAY OF JANUARY, 2014**, for the reasons  
set forth in the Memorandum of this date, **IT IS HEREBY ORDERED THAT:**

1. The complaint is **DISMISSED** without prejudice under 28 U.S.C. § 1915A(b)(1).
2. The Clerk of Court is directed to **CLOSE** this case.
3. Any appeal from this order will be deemed frivolous, not taken in good faith and lacking probable cause.



United States District Judge